

UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF VIRGINIA****NORFOLK DIVISION**February 25, 2025 (Day 1)**MINUTES OF PROCEEDINGS IN** Open Court**PRESENT: THE HONORABLE** Elizabeth W. Hanes, USDJ**Deputy Clerk:** Dee Brandt**Reporter:** Jill Trail, OCR

Set: 10:00 a.m.	Started: 9:35 a.m.	Ended: 5:11 p.m.
4:24cv87	Joann Wright Haysbert v. Outback Steakhouse of Florida, LLC	
Mary Morgan, Trevor Reid and Meredith Yoder present with plaintiff, Joann Wright Haysbert.		
John McGavin and William Miller present on behalf of defendant.		
Matter came on for trial by jury.		
Out of the presence of the jury motion to exclude witnesses granted.		
Jurors (Panel of 35 jurors) appeared as summoned, sworn, and examined on voir dire. Jurors not serving, excused. From Panel came a jury (8) who were duly sworn.		
The Plaintiff requested sidebar conference and raised a Batson challenge. Argument of counsel heard and the court overruled the objection.		
Out of the presence of the jury arguments heard and ruling made re Plaintiff's Request for Judicial Notice (ECF No. 35). The Court overruled Defendant's objection. Arguments heard re Plaintiff's motion to deem witnesses as adverse witnesses. The Court granted Plaintiff's motion as to Marcus Wilson and denied Plaintiff's motion without prejudice as to the remaining witnesses.		
Opening statements of counsel heard.		
Evidence presented by Plaintiff.		
Jurors, counsel, and parties excused until 9:00 a.m. February 26, 2025		
Out of the presence of the jury the Court found Deajah Clark to be unavailable. Her prior trial testimony will be admitted under Rule 804(a)(b)."		
Court adjourned.		
Lunch: 12:30 p.m. - 1:30 p.m.		